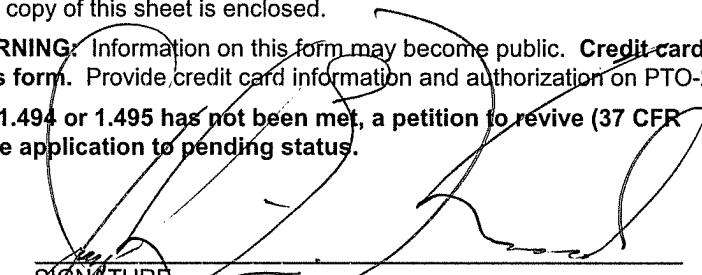


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEYS DOCKET NO.  2472-90-PUS  U.S. APPLICATION NO. (If known, see 35 CFR 1.5)  not yet assigned
INTERNATIONAL APPLICATION NO.  PCT/US2005/004639	INTERNATIONAL FILING DATE  10 February 2005	PRIORITY DATE CLAIMED  10 February 2004
TITLE OF INVENTION  METHODS OF CONTROLLING MICROORGANISMS IN PACKAGED FOODS		
APPLICANT(S) FOR DO/EO/US  Warren MIRTSCHING, R. Todd BACON, and John HULSE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (20) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>13. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</p> <p>17. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 1.54(d)(4).</p> <p>19. <input type="checkbox"/> Other items or information:</p>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  not yet assigned		INTERNATIONAL APPLICATION NO.  PCT/US2005/004639		ATTORNEY'S DOCKET NUMBER  2472-90-PUS																	
<p>20. The following fees are submitted:</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee .....</td> <td>\$300.00</td> <td>Applicant use</td> <td>Office use only</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee .....</td> <td>\$200.00</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search fee .....</td> <td>\$100.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS = \$600.00</b></td> <td></td> <td></td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof.</p>						<input checked="" type="checkbox"/> a) Basic national fee .....	\$300.00	Applicant use	Office use only	<input checked="" type="checkbox"/> b) Examination fee .....	\$200.00			<input checked="" type="checkbox"/> c) Search fee .....	\$100.00			<b>TOTAL OF ABOVE CALCULATIONS = \$600.00</b>			
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Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																	
8	-100 =	-92 /50 =	0	x \$250.00	\$ 0																
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))																					
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE																	
Total claims	15 - 20 =		0	x \$50.00	\$ 0.00																
Independent claims	3 - 3 =		0	x \$200.00	\$ 0.00																
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$																
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 600.00																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	<b>SUBTOTAL =</b>				\$																
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$ +																
<b>TOTAL NATIONAL FEE =</b>					\$																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) <b>\$40.00</b> per property					\$ +																
<b>TOTAL FEES ENCLOSED =</b>					\$ 600.00																
Amount to be refunded:					\$																
Amount to be charged:					\$																
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.																					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>191970</u> in the amount of \$ <u>600.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.																					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-1970. A duplicate copy of this sheet is enclosed.																					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																					
SEND ALL CORRESPONDENCE TO:																					
<p>SHERIDAN ROSS P.C. 1560 Broadway, Suite 1200 Denver, Colorado 80202-5141 Telephone: (303) 863-9700 Facsimile: (303) 863-0223</p>  <p><b>SIGNATURE</b> Joseph E. Kovarik Registration No. 33,005</p>																					
<b>CUSTOMER NO. 22442</b>																					